

Docket Item #13
SPECIAL USE PERMIT # 2007-0014

Planning Commission Meeting
April 3, 2007

ISSUE: Consideration of a request for a special use permit to operate a child care home.

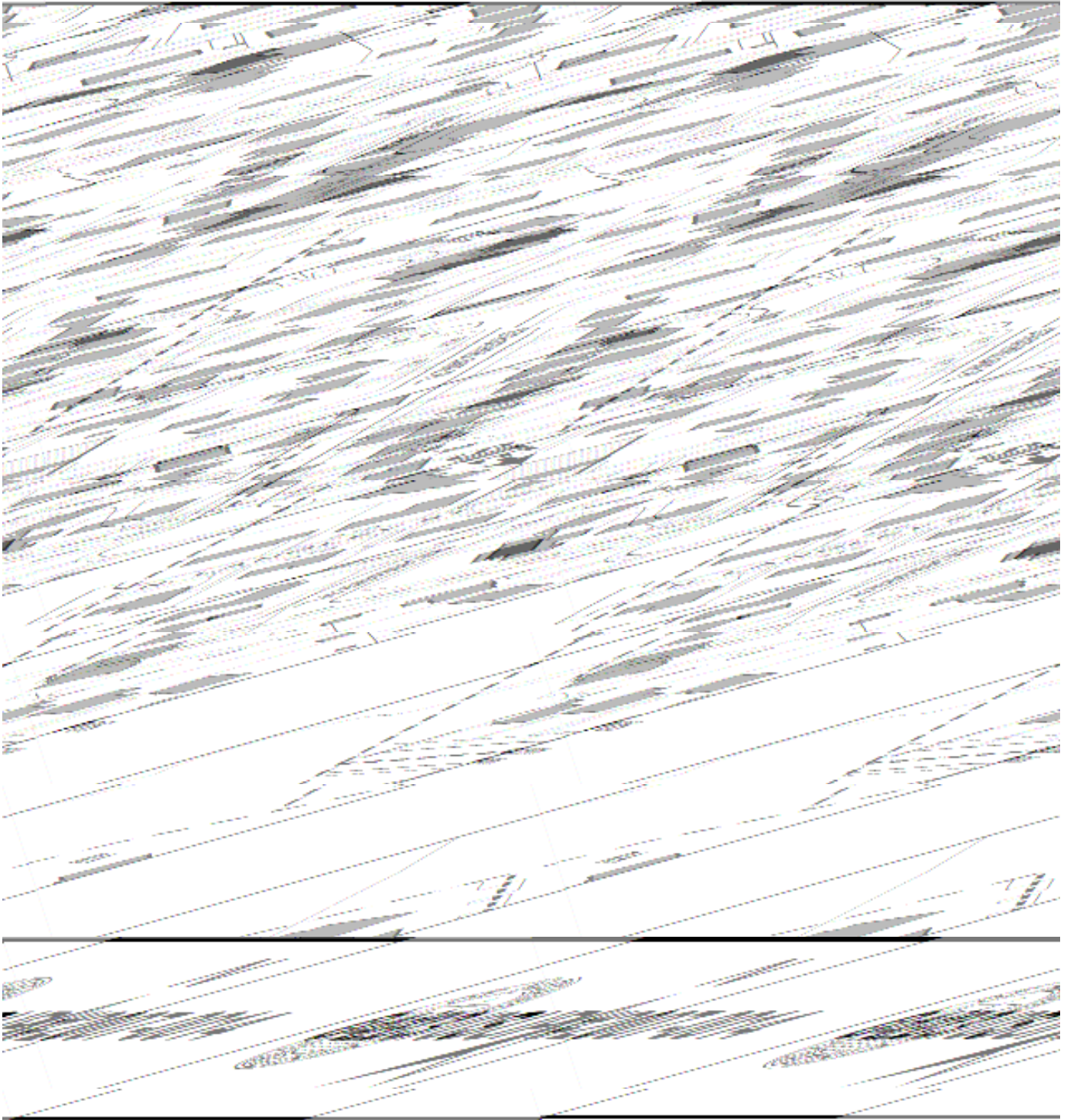
APPLICANT: Nelly R. Velez

STAFF: Richard Bray
richard.bray@alexandriava.gov

LOCATION: 322 North Langley Street

ZONE: R-8/Residential

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



I. DISCUSSION

REQUEST

The applicant, Nelly Velez, requests special use permit approval for the operation of a child care home located at 322 North Langley Street.

SITE DESCRIPTION

The subject property is one lot of record with 75 feet of frontage on North Langley Street, 133 feet of depth and a total lot area of 9,560 square feet. The site is developed with a single family detached house. Access to the property is from North Langley Street. The subject property is located on a no outlet street with ample turnaround at the terminus.



The surrounding area is occupied by a neighborhood of single family detached houses.

PROPOSAL

The applicant is a registered family child care provider with the City of Alexandria, and, without a SUP, is allowed to care for five children. At this location, Ms. Velez currently cares for five children including one resident child, age 12. The applicant seeks permission to increase the number of children in her care to nine. The applicant has a fenced rear yard on the subject property. The applicant proposes to operate the child care home on the first floor of the building, which has approximately 1,030 square feet and will be devoted to child care activities. Parents will park in the driveway or on the street directly in front of the house when dropping off and picking up their children. The applicant anticipates staggered arrival times of the parents, so congestion should not be a problem.

Hours: Monday – Saturday, 6:00 am – 11:00 pm

Number children: 9 per shift

Noise: Day care staff will control noise levels

Trash/Litter: No littering impacts anticipated

Employees: 2 employees per day, 1 employee per shift

PARKING

According to the Zoning Ordinance, a single family detached house requires two off street parking spaces. The property has room for two cars in the driveway, parked in tandem.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the R-8, single family zone. Section 7-500(B) of the Zoning Ordinance allows a child care home for nine children only with a special use permit.

II. STAFF ANALYSIS

Staff has no objection to the proposed child care home located at 322 North Langley Street. The proposed use is consistent with the requirements for child care homes set forth in the Zoning Ordinance. In addition, the Department of Human Services, Office of Early Childhood Development (OECD), states that the applicant has been a registered family child care provider since 2003 and continues to regularly attend training and workshops provided by OECD. Ms. Velez has operated at this location since January of 2007. OECD recommends approval of the application and stresses the importance of evening childcare in the City.

Adequate on-site parking is available. Staff notes that parents will drop-off or pick-up their children at different times, staggering the demand for parking and reducing the overall impact of additional cars associated with the use.

Although the Office of Early Childhood Development has indicated a great need for evening childcare in the City, staff is concerned with the late closing hour, specifically with the potential for noise issues. To that end, staff has included a condition limiting the hours during which the children may play outside. The condition also states that there must be staff supervision while children are outside.

Consistent with the recommendation of the Department of Human Services, staff has included standard child care home conditions and a condition limiting the maximum number of children to be cared for by the applicant to nine. Finally, staff recommends a condition requiring a review of the child care home after it has been operational for one year.

With the following conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the child care home shall be limited to between 6:00 am and 11:00 pm, Monday through Saturday. (P&Z)
3. Children shall be allowed to play outside between the hours of 9:00 am and 6:00 pm and shall be accompanied by a staff member while outside.
4. The applicant shall provide child care for no more than nine children at any one time. (P&Z)
5. The special use permit shall not be effective unless and until the child care home for up to nine children is licensed by the Virginia Department of Social Services. (P&Z)
6. The applicant shall comply with licensing registration requirements and other limitations of local and state regulations. (OECD)
7. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
8. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
9. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a security survey for the child care home. This is to be completed prior to the child care home opening for business. (Police)
10. The building shall have an address number which is contrasting in color to the background and visible from the street. No brass or gold colored numbers. (Police)
11. The applicant shall advise the parents that they must use the turnaround at the end of North Langley Street and may not back out to Strathblaine Place. (P&Z)

12. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning;
Richard Bray, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

Code Enforcement:

- C-1 This review is based on the assumption that this facility will be licensed as a family day home by the Virginia Department of Social Services. If this does not occur then the number of children served at one time shall be limited to five.
- C-2 Smoke detectors shall be provided in all sleeping areas.
- C-3 Fire extinguishers shall be provided at this facility.
- C-4 A certificate of occupancy shall be obtained prior to occupying this facility.

Health Department:

- F-1 No comment.

Parks & Recreation:

- F-1 No comment.

Human Services:

- F-1 Ms. Velez's home complies with all health and safety regulations and provides sufficient space, both inside and out, to accommodate nine children. Therefore, I recommend approval of Ms. Velez's special use permit to allow her to care for up to nine (9) non-residential children. The applicant shall comply with licensing requirements.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding s security survey for the child care home. This is to be completed prior to the child care home opening for business.
- R-2 The building shall have an address number which is contrasting in color to the background and visible from the street. No brass or gold colored numbers.
- F-1 The Police Department conducted a criminal history check of the address with negative results. Therefore, the Police Department has no objections.

SUP #2007-0014
322 North Langley Street

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**